

PROPOSITION 90

Government Acquisition, Regulation of Private Property.  
Initiative Constitutional Amendment.

Proponent: Anita S. Anderson

Date: July 20, 2006

**BALLOT LABEL**

**GOVERNMENT ACQUISITION, REGULATION OF PRIVATE PROPERTY.  
INITIATIVE CONSTITUTIONAL AMENDMENT.**

Bars state/local governments from condemning or damaging private property to promote other private projects, uses. Limits government's authority to adopt certain land use, housing, consumer, environmental, workplace laws/regulations. Fiscal Impact: Increased annual government costs to pay property owners for losses to their property associated with new laws and rules, and for property acquisitions. These costs are unknown, but potentially significant on a statewide basis.

**SUBJECT TO COURT  
ORDERED CHANGES**

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### **BALLOT TITLE AND SUMMARY**

#### **GOVERNMENT ACQUISITION, REGULATION OF PRIVATE PROPERTY. INITIATIVE CONSTITUTIONAL AMENDMENT.**

- Bars state and local governments from condemning or damaging private property to promote other private projects or uses.
- Limits government's authority to adopt certain land use, housing, consumer, environmental and workplace laws and regulations, except when necessary to preserve public health or safety.
- Voids unpublished eminent domain court decisions.
- Defines "just compensation."
- Government must occupy condemned property or lease property for public use.
- Condemned private property must be offered for resale to prior owner or owner's heir at current fair market value if government abandons condemnation's objective.
- Exempts certain governmental actions.

#### **Summary of Legislative Analyst's Estimate of Net State and Local Government Fiscal Impact:**

- Increased annual state and local government costs to pay property owners for (1) losses to their property associated with certain new laws and rules, and (2) property acquisitions. The amount of such costs is unknown, but potentially significant on a statewide basis.

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